

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Examiner: Amy E. Pulliam

Roorda et al.

RECEIVED

Serial No.: 09/781,599

Art Unit: 1615

DEC 08 2003

Filed: February 12, 2001

TECH CENTER 1600/2900

Title: COMPOSITIONS FOR ACHIEVING A THERAPEUTIC EFFECT IN AN
ANATOMICAL STRUCTURE AND METHODS OF USING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Examiner Pulliam:

This response and the accompanying Request for Continued Examination address the Office Action mailed on June 30, 2003, which has a shortened statutory period for response that ended on September 30, 2003. Enclosed is a Petition for a two month extension of time, extending the period to respond to December 1, 2003.



**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|-------------------------------|-------------------|
| <i>Application Number</i> | 09/781,599 |
| <i>Filing Date</i> | February 12, 2001 |
| <i>First Named Inventor</i> | Wouter E. Roorda |
| <i>Art Unit</i> | 1615 |
| <i>Examiner Name</i> | Amy E. Pulliam |
| <i>Attorney Docket Number</i> | 50623.104 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| | | | |
|---|--|--|--|
| 1. | Submission required under 37 C.F.R. 1.114 | RECEIVED | |
| a. <input type="checkbox"/> Previously submitted | | | |
| i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered). | | | |
| ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ | | | |
| iii. <input type="checkbox"/> Other _____ | | | |
| b. Enclosed | | | |
| i. <input checked="" type="checkbox"/> Amendment/Reply | | iii. <input type="checkbox"/> Information Disclosure Statement (IDS) | |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) | | iv. <input type="checkbox"/> Other _____ | |
| 2. | Miscellaneous | DEC 01 2003 | |
| a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required) | | | |
| b. <input type="checkbox"/> Other _____ | | | |
| 3. | Fees | TECH CENTER 1600/2900 | |
| The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed. | | | |
| a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>07-1850</u> | | | |
| i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. 1.17(e) | | | |
| ii. <input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. 1.136 and 1.17) | | | |
| iii. <input type="checkbox"/> Other _____ | | | |
| b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed | | | |
| c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|--------------------|-----------------------------------|------------------|
| Name (Print /Type) | Paul J. Meyer, Jr. | Registration No. (Attorney/Agent) | 47,791 |
| Signature | | Date | December 1, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

| | | | |
|--------------------|----------------|------|------------------|
| Name (Print /Type) | Judi Stillwell | | |
| Signature | | Date | December 1, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

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| 01 FC:1801 | 770.00 DA |
| 02 FC:1201 | 258.00 DA |
| 03 FC:1202 | 90.00 DA |

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